

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X

SEA CHALLENGER SHIPHOLDING S.A.,

Plaintiff,

-against -

AGRITRADE INTERNATIONAL (PTE) LTD.,

Defendants

Case Number: **07 CV 3688**

-----X

AFFIDAVIT

I, **ABDUL RAZAK BIN MOHAMAD** (NRIC No. S0088525H), care of One Marina Boulevard #28-00, Singapore 018989, do solemnly and sincerely affirm and say as follows:

1. I am an Executive to Messrs Allen & Gledhill LLP, Singapore. I have been instructed by Messrs Freehill Hogan & Mahar, LLP, solicitors of the Plaintiff, to serve documents on the Defendants and I am authorised by my employer and the Plaintiffs' solicitors to affirm this affidavit.
2. The facts deposed to herein are within my personal knowledge and are true.

3. Upon being instructed by my employers to serve on the Defendants the following documents: -

(1) A Copy of Summons in A Civil Case Number: 07 CV 3688; and

(2) A Copy of the Verified Complaint in Civil Case Number: 07 CV 3688 (hereinafter “the Documents”),

I did on Thursday, 15 November 2007 at 11.20 am, serve the Defendants, AGRITRADE INTERNATIONAL (PTE) LTD (“the Company”) with the Documents at their registered address of 32, Hong Kong Street, Singapore 059671, by leaving a copy of the Documents with one Chinese female, Lim Chek Hwee, who admitted to me that she was both a Director and the Secretary of the Company.

4. I did on 15 November 2007 indorse on the said Documents the date and time of the said service.
5. A copy of the search made on 15 November 2007 with the Accounting and Regulatory Authority (“ACRA”) showing the registered address of the Company as 32, Hong Kong Street, Singapore 059671 and the abovenamed Lim Chek Hwee as a Director and Secretary of the Company is marked as exhibit “**ARM-1**”.
6. Copies of the Summons In A Civil Case Number: 07 CV 3688 and the Verified Complaint in Civil Case Number: 07 CV 3688 showing the date and time of service are annexed hereto and collectively marked as exhibit “**ARM-2**”.

7. On 16 November 2007, a copy of the Documents was sent by registered post to the Company's registered address.

AFFIRMED by)

ABDUL RAZAK BIN MOHAMAD)

this 1st day of November 2007)

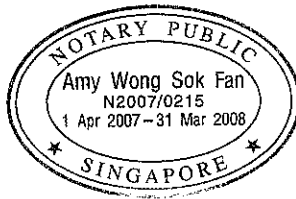
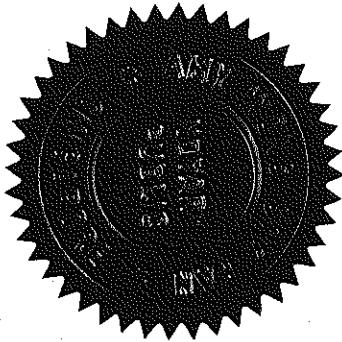
at Singapore)



Before me

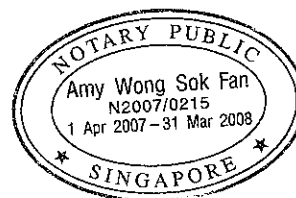


A Notary Public



TO ALL TO WHOM THESE PRESENTS SHALL COME I,
AMY WONG SOK FAN of 11 COLLYER QUAY #05-02 THE
ARCADE, SINGAPORE 049317, NOTARY PUBLIC, duly
authorised and appointed, practising in the Republic of Singapore **DO**
HEREBY CERTIFY and **ATTEST** that I was present on the 19th day
of November 2007 at Singapore and did see the deponent
ABDUL RAZAK BIN MOHAMAD duly sign and execute the
Document (**AFFIDAVIT**) hereto annexed and that the name **ABDUL**
RAZAK BIN MOHAMAD thereto subscribed is in the proper
handwriting of the said **ABDUL RAZAK BIN MOHAMAD** .

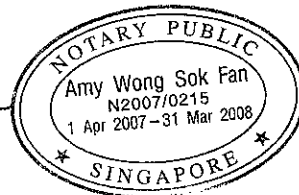

IN TESTIMONY WHEREOF I have hereunto
subscribed my name and affixed my Seal of
Office this 19th day of November 2007.



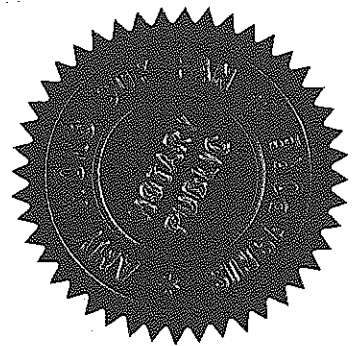
**This is the Exhibit marked " ARM-1 " referred to in the
Affidavit of ABDUL RAZAK BIN MOHAMAD**

Affirmed this 19 day of November 2007

Before me



NOTARY PUBLIC



ACCOUNTING AND CORPORATE REGULATORY AUTHORITY
(ACRA)

INFORMATION REQUIREMENTS

WHILST EVERY ENDEAVOUR IS MADE TO ENSURE THAT INFORMATION PROVIDED IS UPDATED & CORRECT, THE AUTHORITY DISCLAIMS ANY LIABILITY FOR ANY DAMAGE OR LOSS THAT MAY BE CAUSED AS A RESULT OF ANY ERROR OR OMISSION.

Business Profile (Company) of AGRITRADE INTERNATIONAL (PTE) LTD (197903533W)

Date: 15/11/2007

The Following Are The Brief Particulars of :

Registration No. : 197903533W
 Company Name : AGRITRADE INTERNATIONAL (PTE) LTD
 Former Name if any :
 Incorporation Date : 22/11/1979
 Company Type : LIMITED EXEMPT PRIVATE COMPANY
 Status : Live Company
 Status Date : 22/11/1979

Principal Activities

Activities (I) : 50920
 Description : GENERAL WHOLESALE TRADE (INCLUDING GENERAL IMPORTERS AND EXPORTERS)
 Activities (II) : 50100
 Description : WHOLESALE ON A FEE OR CONTRACT BASIS (EG COMMISSION AGENCIES)

Capital

Issued Share Capital *	Number of shares	Currency	Share Type
(AMOUNT)			
13380000.00	13380000	SINGAPORE, DOLLARS	ORDINARY

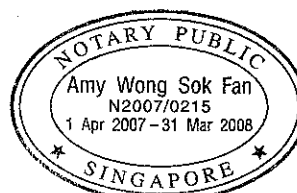
* Number of Shares includes number of Treasury Shares

Paid-Up Capital	Number of shares	Currency	Share Type
(AMOUNT)			
13380000.00		SINGAPORE, DOLLARS	ORDINARY

COMPANY HAS THE FOLLOWING ORDINARY SHARES HELD AS TREASURY SHARES

Number Of Shares	Currency
------------------	----------

Registered Office Address : 32 HONGKONG STREET
 SINGAPORE (059671)
 Date of Address : 03/02/1997



ACCOUNTING AND CORPORATE REGULATORY AUTHORITY
(ACRA)

INFORMATION RESOURCES

WHILST EVERY ENDEAVOUR IS MADE TO ENSURE THAT INFORMATION PROVIDED IS UPDATED & CORRECT. THE AUTHORITY DISCLAIMS ANY LIABILITY FOR ANY DAMAGE OR LOSS THAT MAY BE CAUSED AS A RESULT OF ANY ERROR OR OMISSION.

**Business Profile (Company) of AGRITRADE INTERNATIONAL (PTE) LTD
(197903533W)**

Date: 15/11/2007

Date of Last AGM	: 31/10/2006
Date of Last AR	: 09/11/2006
Date of A/C Laid at Last AGM	: 31/03/2006
Date of Lodgment of AR, A/C	: 09/11/2006

Audit Firms**NAME**

SHANGYEW PUBLIC ACCOUNTING CORPORATION

Charges

Charge No.	Date Registered	Amount Secured	Chargee(s)
------------	-----------------	----------------	------------

Officers/Agents

Name	ID	Nationality	Source of Address	Date of Appointment
NG SAY PEK	S0028042I	SINGAPORE CITIZEN	OSCARS	22/11/1979
23 JALAN TANAH PUTEH SINGAPORE (457346)		DIRECTOR		
NG SAY PEK	S0028042I	SINGAPORE CITIZEN	OSCARS	18/12/1979
23 JALAN TANAH PUTEH SINGAPORE (457346)		MANAGING DIRECTOR		
LIM CHEK HWEE	S1237912I	SINGAPORE CITIZEN	ACRA	22/11/1979
23 JALAN TANAH PUTEH SINGAPORE (457346)		DIRECTOR		
LIM CHEK HWEE	S1237912I	SINGAPORE CITIZEN	ACRA	18/12/1979
23 JALAN TANAH PUTEH SINGAPORE (457346)		SECRETARY		

ACCOUNTING AND CORPORATE REGULATORY AUTHORITY
(ACRA)

INFORMATION RESOURCES

WHILST EVERY ENDEAVOUR IS MADE TO ENSURE THAT INFORMATION PROVIDED IS UPDATED & CORRECT. THE AUTHORITY DISCLAIMS ANY LIABILITY FOR ANY DAMAGE OR LOSS THAT MAY BE CAUSED AS A RESULT OF ANY ERROR OR OMISSION.

**Business Profile (Company) of AGRITRADE INTERNATIONAL (PTE) LTD
(197903533W)**

Date: 15/11/2007

Shareholder (s)				
Name	ID	Nationality/Place of Incorporation/Origin	Source of Address	Address Changed
1 NG SAY PEK	S0028042I	SINGAPORE CITIZEN	OSCARS	11/10/2004
23 JALAN TANAH PUTEH SINGAPORE (457346)				
Ordinary (Number)	Currency			
10704000	SINGAPORE, DOLLARS			
2 LIM CHEK HWEE	S1237912I	SINGAPORE CITIZEN	ACRA	
23 JALAN TANAH PUTEH SINGAPORE (457346)				
Ordinary (Number)	Currency			
2676000	SINGAPORE, DOLLARS			

Abbreviation

UL - Local Entity not registered with ACRA

UF - Foreign Entity not registered with ACRA

V/Share - Value Per Share

AR - Annual Return

AGM - Annual General Meeting

A/C - Accounts

OSCARS - One Stop Change of Address Reporting Service by Immigration & Checkpoint Authority.

PLEASE NOTE THAT INFORMATION HEREIN CONTAINED IS EXTRACTED FROM FORMS/TRANSACTIONS FILE WITH THE AUTHORITY

ACCOUNTING AND CORPORATE REGULATORY AUTHORITY
(ACRA)



WHILST EVERY ENDEAVOUR IS MADE TO ENSURE THAT INFORMATION PROVIDED IS UPDATED & CORRECT. THE AUTHORITY
DISCLAIMS ANY LIABILITY FOR ANY DAMAGE OR LOSS THAT MAY BE CAUSED AS A RESULT OF ANY ERROR OR OMISSION.

**Business Profile (Company) of AGRITRADE INTERNATIONAL (PTE) LTD
(197903533W)**

Date: 15/11/2007

FOR REGISTRAR OF COMPANIES AND BUSINESSES
SINGAPORE

RECEIPT NO. : ACR0000002629708A


DATE : 15/11/2007

This is computer generated. Hence no signature required.

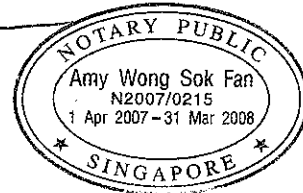
This is the Exhibit marked " ARM-2 " referred to in the
Affidavit of ABDUL RAZAK BIN MOHAMAD

Affirmed this 19 day of November 2007

Before me



NOTARY PUBLIC



AO 440 (Rev. 10/93) Summons in a Civil Action - SDNY WEB 4/99

United States District Court

SOUTHERN

DISTRICT OF

NEW YORK

SEA CHALLENGER SHIPHOLDING S.A.

SUMMONS IN A CIVIL CASE

V.

CASE NUMBER: 07 CV

AGRITRADE INTERNATIONAL (PTE) LTD.

07 CV 3688

JUDGE STEIN

TO: (Name and address of defendant)

AGRITRADE INTERNATIONAL (PTE) LTD.
32 Hong Kong Street
Singapore 059671

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

FREEHILL, HOGAN & MAHAR, LLP
80 Pine Street
New York, New York 10005

Attn: Michael E. Unger, Esq.



15/11/07 at 11:20 AM

an answer to the complaint which is herewith served upon you, within Twenty (20) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

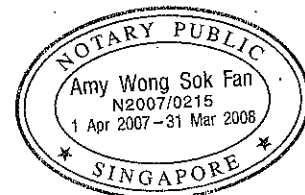
J. MICHAEL McMAHON

CLERK

DATE

MAY 09 2007

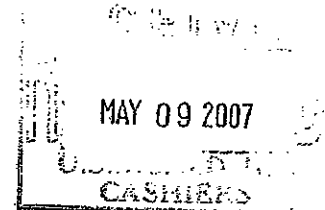
(BY) DEPUTY CLERK



JUDGE STEIN

07 CV 3688

249-07/MEU/MAM
FREEHILL HOGAN & MAHAR LLP
Attorneys for Plaintiff
SEA CHALLENGER SHIPHOLDING S.A.
80 Pine Street
New York, NY 10005
(212) 425-1900
(212) 425-1901 fax
Michael E. Unger (MU 0045)
Manuel A. Molina (MM 1017)



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SEA CHALLENGER SHIPHOLDING S.A.,

07-Civ _____ ()

Plaintiff,

- against -

VERIFIED COMPLAINT

AGRITRADE INTERNATIONAL (PTE) LTD.,

Defendants.

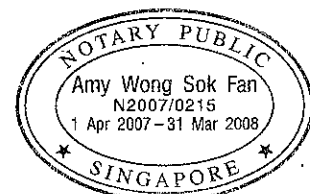


15/11/07 @ 11:20 AM

Plaintiff, SEA CHALLENGER SHIPHOLDING S.A. (hereinafter "SEA CHALLENGER"), by its attorneys Freehill, Hogan & Mahar, LLP, as and for its Verified Complaint against Defendant AGRITRADE INTERNATIONAL (PTE) LTD. (hereinafter "AGRITRADE"), alleges upon information and belief as follows:

1. This is an admiralty and maritime claim within the meaning of Rule 9(h) of the Federal Rules of Civil Procedure in that it involves a claim for the breach of a maritime contract of charter party. This case also falls under this Court's admiralty and maritime jurisdiction pursuant to 28 U.S.C. §1333. Jurisdiction is also proper pursuant to the Court's federal question jurisdiction pursuant to 28 U.S.C. §1331. Federal jurisdiction also exists because the action arises under the New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards at 9 U.S.C. §201 *et seq.* and/or the Federal Arbitration Act, 9 U.S.C. §1 *et seq.*

NYDOCS1/282832.1



2. At all times relevant hereto, Plaintiff SEA CHALLENGER was and still is a foreign business entity duly organized and existing under the laws of a foreign country with an address at Trust Company Complex, Ajeltake Road, Ajeltake Island, Majuro, Marshall Islands.

3. At all times relevant hereto, Defendant AGRITRADE was and still is a foreign business entity duly organized and existing under the laws of a foreign country with an office and place of business at 32 Hong Kong Street, Singapore 059671.

4. On or about February 7, 2007, Plaintiff SEA CHALLENGER, as owner, and Defendant AGRITRADE, as charterer, entered into a maritime contract of charter party on an Amended VEGOILVOY form for the use and operation of the M/V SEA CHALLENGER to carry a cargo from one safe port / one safe berth straits each out of Pgg, Port Kelang, Belawan, and Dumai to one safe port / one safe berth Colombo and one safe port/one safe berth Calcutta.

5. On or about March 13, 2007, SEA CHALLENGER issued an invoice to AGRITRADE showing a balance due to SEA CHALLENGER in the amount of \$92,669.23.

6. The foregoing amount reflects demurrage due and owing from AGRITRADE to SEA CHALLENGER.

7. Despite due demand and in breach of the terms of the charter party, Defendant AGRITRADE has failed and otherwise refused to pay the amounts presently due and owing to Plaintiff SEA CHALLENGER.

8. On April 24, 2007, SEA CHALLENGER commenced arbitration proceedings in London against Defendant AGRITRADE pursuant to the terms of the charter party contract which requires all disputes arising thereunder to be submitted to London arbitration with English law to apply.-

9. Plaintiff SEA CHALLENGER expressly reserves its right to arbitrate the substantive matters at issue.

10. Upon information and belief, and after investigation, Defendant AGRITRADE cannot be "found" within this district for the purpose of Rule B of the Supplemental Rules of Certain Admiralty and Maritime Claims, but Plaintiff is informed that Defendant has, or will shortly have, assets within this District comprising of, *inter alia*, cash, funds, credits, debts, wire transfers, electronic funds transfers, accounts, letters of credit, freights, sub-freights, charter hire and/or sub-charter hire, of, belonging to, due or for the benefit of the Defendant (hereinafter, "ASSETS"), including but not limited to "ASSETS" at, being transferred through, or being transferred and/or wired to or from banking institutions or such other garnishees who may be served with a copy of the Process of Maritime Attachment and Garnishment issued herein.

11. As best as presently can be computed, the total amount sought to be attached pursuant to Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims by SEA CHALLENGER against AGRITRADE includes:

- (a) Outstanding demurrage in the amount of \$92,669.23;
- (b) Interest on the above sum in the amount of \$13,796.76, calculated on the above sum at the rate of 7% per annum, compounded quarterly, for two years, the estimated time it will take to obtain a final judgment against Defendant AGRITRADE, which interest is recoverable under English law;
- (c) Legal fees, arbitrator fees and costs that will be incurred by SEA CHALLENGER in respect of the London arbitration which are recoverable pursuant to English law, and which, pursuant to the advices of English solicitors, are estimated to be in the sum of \$30,000.00;

For a total sought to be attached of \$136,465.99.

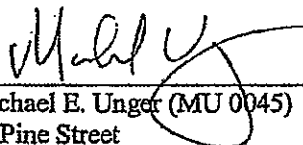
WHEREFORE, Plaintiff SEA CHALLENGER SHIPHOLDING S.A. prays:

- a. That process in due form of law according to the practice of this Court in admiralty and maritime jurisdiction issue against the Defendant, citing it to appear and answer under oath all and singular the matters alleged, failing which a default will be taken against it in the principal amount of \$92,669.23, plus interest, costs and attorneys fees;
- b. That since Defendant cannot be found within this District pursuant to Supplemental Rule B, all tangible or intangible property of the Defendant, up to and including the sum of \$136,465.99, be restrained and attached, including but not limited to any cash, funds, credits, wire transfers, electronic funds transfers, accounts, letters of credit, debts, freights, sub-freights, charter hire, sub-charter hire, and/or other assets of, belonging to, due or for the benefit of the Defendant (collectively "ASSETS"), including but not limited to such "ASSETS" as may be held, received or transferred in its own name or as may be held, received or transferred for its benefit at, through, or within the possession, custody or control of such banking institutions and/or any such other garnishees who may be served with a copy of the Process of Maritime Attachment and Garnishment issued herein; and

- c. That this Court retain jurisdiction over this matter for purposes of any subsequent enforcement action as may be necessary; and,
- d. For such other, further and different relief as this Court may deem just and proper in the premises.

Dated: New York, New York
May 9, 2007

FREEHILL HOGAN & MAHAR, LLP
Attorneys for Plaintiff
SEA CHALLENGER SHIPHOLDING S.A.

By: 
Michael E. Unger (MU 0045)
80 Pine Street
New York, NY 10005
(212) 425-1900 / fax (212) 425-1901

ATTORNEY VERIFICATION

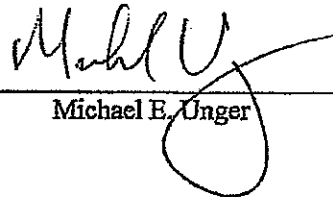
State of New York)
) ss.:
County of New York)

MICHAEL E. UNGER, being duly sworn, deposes and says as follows:

1. I am a partner with the law firm of Freehill Hogan & Mahar, LLP, attorneys for Plaintiff in this action, I have read the foregoing Verified Complaint and know the contents thereof, and the same is true to the best of my knowledge, information and belief.

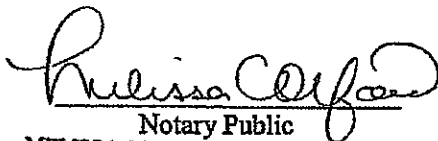
2. The sources of my information and the grounds for my belief are communications, information and documentation provided by our client.

3. The reason this verification is made by an attorney and not by the Plaintiff is because the Plaintiff is a foreign entity, none of whose officers are presently within this Judicial District.



Michael E. Unger

Sworn to before me this
9th day of May, 2007.



Notary Public
MELISSA COLFORD
Commissioner of Deeds
City of New York-No. 5-1692
Certificate Filed in New York
Commission Expires 4/1/08